

### DETAILED ACTION

The reply filed on 8/26/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Claims 1-4, 9-10, 13-14, 22-30 are currently pending. Applicant, in first page of REMARKS section filed on 8/26/2008, mentions about canceled claim 28 and dependent claim 27 on allowable claim and contradicts by stating that claims 22-31 are substantially identical to 1 to 8, 10 and 11 respectively of Potter patent no.. 6,028,437 and are copied from Potter. However, such listing of the claims are not compliance with the guidelines set forth in 37 CFR 41.202(1)(1)-(6) and (d). Applicant cancel claim 28 as a response to previous office action, but included claim 27 as copied claims 22-31, where claim 27 depends on allowable claim 4. Appropriate correction is required prior to interference proceedings. Applicant did not explain how declaration under 37 C.F.R. 1.131, filed on 11/06/2001, obviates applied reference by Higgins. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Savitri Mulpuri whose telephone number is 571-272-1677. The examiner can normally be reached on Mon-Fri from 8 a.m to 4.30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Garber, can be reached on 571-272-2194. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Savitri Mulpuri/  
Primary Examiner, Art Unit 2812